

prior to forming the second conductive layer, exposing the first conductive layer to a selection consisting of diborane, phosphine, methylsilane, hexamethyldisilane, hexamethyldisilazane, HCL, boron trichloride, and combinations thereof to reduce the ability of the first conductive material to associate with oxygen.

103. (New) The method of claim 102 wherein the plug comprises at least one of polysilicon, tungsten, copper, and aluminum.

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canceled* 104. (New) The method of claim 102 wherein the first conductive layer comprises tungsten nitride.

105. (New) The method of claim 102 wherein the second conductive layer comprises copper.--

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#### REMARKS

Claims 1-3 and 76-90, along with newly added claims 91-105 are currently pending in the present patent application. In the Office Action mailed January 4, 2002, the Examiner rejected claims 1-3 and 76-90 under 35 U.S.C. § 103(a) as being unpatentable over the Applicant's specification in view of U.S. Patent No. 6,201,276 B1 to Agarwal *et al.* ("Agarwal").

Under 35 U.S.C. § 103(c), "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." Vishnu K. Agarwal is the sole inventor in the present application and one of the inventors in the Agarwal patent. Moreover, the Agarwal patent qualifies as prior art only under subsections (e), (f), and (g), and the subject matter of the Agarwal patent and the claims of the present application were, at the time the present invention was made, subject to an obligation of assignment to the same entity, namely Micron Technology, Inc., which is the assignee of the Agarwal patent and the present patent application. As a result,

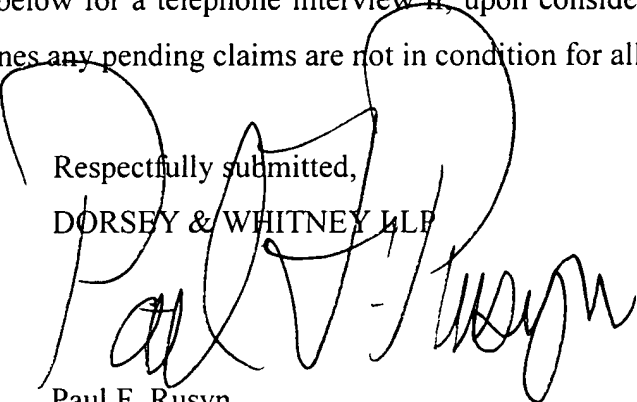
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the Agarwal patent may not be applied as prior art under Section 103 against the claims of the present application, and claims 1-3 and 76-90 are accordingly allowable.

New claims 91-105 recite subject matter covering various other patentable aspects of the present invention, and are allowable over the prior art of record.

All pending claims are in condition for allowance, and favorable consideration and a Notice of Allowance are respectfully requested. The Examiner is requested to contact the undersigned at the number listed below for a telephone interview if, upon consideration of this amendment, the Examiner determines any pending claims are not in condition for allowance.

Respectfully submitted,  
DORSEY & WHITNEY LLP

  
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PFR:asw

Enclosures:

- Postcard
- Check
- Fee Transmittal Sheet (+ copy)
- Supplemental Information Disclosure Statement
- Form PTO-1449 with Cited References (3)

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